

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

Policy SD1: *Presumption in favour of Sustainable Development* – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: *General Development* – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: *High quality design and place making* – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Supplementary Planning Document: House extensions and Other Domestic Alterations

This document establishes the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations. The general principles are that proposals should;

- Be of a scale and design which harmonises with the existing building;
- Not adversely affect the amenity of neighbouring properties;
- Maintain the character of the street scene; and
- Not interfere with highway safety

The above principles are to reflect the revised principles in the NPPF, which promote high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Other Guidance

South Yorkshire Residential Design Guidance

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes. Within section 12, paragraph 139 states "*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes*".

Consultations

Highways Development Control (DC) were consulted and raised no objections.

Representations

Neighbour notification letters were sent to surrounding properties, no comments were received.

Assessment

Principle of Development

The site falls within urban fabric which has no specific land allocation; however, the site and surrounding area is made up principally of housing. Extensions and alterations to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

Visual Amenity

The SPD states that "*outbuildings should relate sympathetically to the main dwelling in style, proportions and external finishes. An annex building may be permitted in a rear garden where it would not occupy a disproportionate amount of the garden and would not have its own separate access or garden area*". The building is not subordinate to the host dwelling nor located in the rear garden. It would appear as a standalone dwelling in the street scene and not that of a dependant residential annexe.

The SPD states that "*detached garages should be single storey structures and the eaves height should not normally exceed 2.5 meters from ground level*" and "*it is not considered appropriate for detached garages to include dormer windows as a way of accommodating rooms in the roof space*". The proposal is a clear contradiction of this and although set in a large curtilage being located to the front of such further highlights its impact upon the street scene. The building would be immediately adjacent to Church Hill and would be highly visible from public vantage points. In addition to the large footprint, the building would also have a total height of 7.15 metres in order to accommodate the rooms within the roof space. This would further add to the visual prominence and scale of the building which therefore does not appear ancillary to the host dwelling and is contrary to the SPD guidance for both annexes and garages.

The SPD states that '*materials should normally be of the same type, colour and texture to the existing house or as close a match as possible*'. In this case, the proposed materials will match the existing dwelling with matching brickwork and roof tiles being used. The building utilises a pitched roof which

differentiates from the host dwellings hipped roof, however the adjacent semi-detached dwellings also utilise pitched roofs.

Nonetheless given the prominent location of the building in the street scene and the addition of the front facing dormer windows in the roof plane the annexe would still be detrimental to the visual amenity of Church Hill. The proposal would create an anomaly in the street scene especially as it is set forward of the adjacent semi-detached dwellings, hence creating a focal point and dominant feature within the street scene. The proposal results in an unsympathetic design that does not reflect the development pattern of the area as dormer windows are not present on any front elevations in view of the host dwelling. There is a side dormer window at 136 Church Hill, however this dwelling is single storey, and the dormer window is significantly less prominent. The proposed development is therefore considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered unacceptable in terms of visual amenity.

Residential Amenity

The SPD states that *“an annex should normally have a close physical relationship with the host dwelling, be single storey and in all circumstances it should only have 1 bedroom and no more than 3 rooms in total”*. The proposed annexe is substantial and has an internal floor area of approximately 46sqm at first floor level alone. The internal layout shows a bedroom, bathroom, kitchen and snug at first floor level with a garage and utility room at ground floor level. The total usable floor area of the proposed building is 92sqm although it's acknowledged most of the ground floor is the garage.

The South Yorkshire Residential Design Guide states (Internal Space Standards page 130) that a one bed one person property should be a minimum of 46sqm which is akin to the first floor of the building alone. Also, a four bed five person property should be a minimum of 93sqm. The proposed building is therefore significant in size and is the equivalent of an independent dwelling based on the proposed internal floor areas which far exceeds that of a dependant annexe.

The SPD guidance limit annexes to three rooms, irrespective of size. The provision of a bedroom, bathroom, kitchen and snug, would mean that there is no reliance upon the main dwelling for any typical residential facilities. Due to the range of facilities proposed for the unit, it is clear that the proposed annexe could be used as an independent residential unit and separate to 134 Church Hill.

It is noted that a previous permission for a dwelling was approved under application 2009/0367, however this application is not for a new dwelling and is for an annexe which as described above should be reliant on the host dwelling. Also, that decision pre-dates the now adopted Local Plan and SPD's which have formed the basis of this assessment.

The proposal is therefore contrary to the SPD House Extension and Other Alternations guidance, which states that annexes should have a close physical relationship with the main house. The proposed annexe would not be regarded as ancillary to the host property and would set a detrimental precedent due to its size, number of rooms and non-reliance upon the host property and is therefore considered unacceptable and contrary to the SPD and Local Plan Policy GD1.

Highway Safety

There will be impact upon highway safety. The property benefits from two existing points of access and there will be no change to that. The applicant is proposing a detached garage with a one bedroomed annexe above. Given the site history and taking into consideration that the property has ample available parking within the site curtilage, there are no issues from a highways point of view.

Recommendation

Refuse